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MASS REHAB

YELLOW PAGES

A CONSUMER GUIDE
TO THE VOCATIONAL
REHABILITATION
PROGRAM

GOVERNMENT DOCUMENT
COLLECTION

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Elmer C. Bartels,
Commissioner

A HANDBOOK FOR CONSUMERS

MASS REHAB YELLOW PAGES

1984

This Handbook is published by the Massachusetts Rehabilitation Commission for the benefit of handicapped citizens of the Commonwealth. For information or additional copies of this document contact our Public Information Office at (617) 727-2170.

ELMER C. BARTELS, COMMISSIONER

A HANDBOOK FOR CONSUMERS

How to get the best out of the Division of Vocational Rehabilitation of the Massachusetts Rehabilitation Commission

CLIENT ASSISTANCE PROGRAM

The 1984 Amendments to the Rehabilitation Act of 1973 requires states receiving federal vocational rehabilitation money to establish a Client Assistance Program (CAP). The Massachusetts Office of Handicapped Affairs (phone (617) 727-7440) has been designated by the Governor to administer the CAP here in Massachusetts.

The purpose of the CAP is "to assure the protection of the rights" of clients or client applicants under the Rehabilitation Act. In fulfillment of this purpose, Congress has directed the CAP

"to provide assistance in informing and advising all clients and client applicants of all available benefits under this Act, and...to assist such clients or applicants in their relationships with projects, programs, and facilities providing services to them...including assistance in pursuing legal, administrative, or other appropriate remedies..."

MASSACHUSETTS REHABILITATION COMMISSION

ELMER C. BARTELS, COMMISSIONER

The information in this handbook is important! If you are unable to understand this material, please ask for assistance. If you require an interpreter, one will be provided at your request.

¡La información que contiene este manual es importante! Si usted no puede comprender este material, sírvase pedir ayuda. Si necesita un intérprete, se pondrá uno a su disposición si lo solicita.

Questo manuale contiene informazioni importanti! Nel caso che il contenuto vi sembrasce oscuro, chiedeteci aiuto. Se vi servisse un interprete, e ce ne faceste richiesta, saremo lieti di metterne uno a vostra disposizione.

Este guia contém informações importantes! Se tiver dificuldade em ler e compreender este material, faça o favor de pedir assistência. Caso necessite de um intérprete, teremos muito gosto em providenciá-lo mediante pedido.

本手冊內容重要，如有不明白之處請提出
以便協助。如需要譯員也請賜告，以便提供。

This Handbook was originally developed through the Client Assistance Project administered by the Easter Seal Society in cooperation with the Massachusetts Rehabilitation Commission in 1975, revised in 1978 and again in 1984.

Services of the Massachusetts Rehabilitation Commission are provided on a non-discriminatory basis without regard to race, sex, age, creed, or national origin.

INTRODUCTION

The Massachusetts Rehabilitation Commission Division of Vocational Rehabilitation (DVR) helps handicapped people get ready to work and to get jobs.

Right now, you may be considering applying for services offered by "Mass. Rehab." DVR. Perhaps you are already a client or have received services from Mass. Rehab. DVR in the past. This handbook tells you your rights.

Don't be afraid to enforce your rights. You will get better services if you understand your rights and responsibilities and you are ready to question "the system." The Client Assistance Program (CAP) located at the State Office of Handicapped Affairs, is available to provide assistance to you in understanding and securing your rights under vocational rehabilitation law. For more information on CAP, see introduction page.

The Division of Disability Determination Services (DDS) at Mass. Rehab. decides who can receive disability benefits from the Social Security Administration. A booklet like this will soon be printed on the rights of Social Security claimants.

HOW TO USE THE HANDBOOK

The Handbook is a collection of answers to questions you may have. You only need to read the parts that answer your questions. However, you may have more questions later on, so keep the Handbook where you can refer to it. The questions are numbered to make them easy to refer to.

BASIC CONSUMER TIPS

Keep all the letters or other materials you get from Mass. Rehab. DVR in one place where you can find them easily.

When you ask for information, be sure you understand the answer. If you don't, ask for an explanation. Be sure you know the name and title of any person who gives you information.

You can ask who is responsible for any decision that affects you. You can then ask that person for the basis of the decision. Perhaps there is an agency policy which governs the situation; perhaps the person is making a personal judgement. Most decisions are a combination of agency policy and someone's judgement on how to apply that policy. You can ask to see any regulations which govern your case.

You should always request that a decision made in your case be given to you in writing. This is especially important if you disagree with the decision and plan to see if it can be changed.

You will get the best services if you participate fully in your own vocational program.

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GENERAL

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52. I am not satisfied with the action of Mass. Rehab. DVR in my case. I have discussed the problem with my counselor. I have explained my reasons and I believe I understand the counselor's response. But I still disagree. What can I do?
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57. What is Consumer Involvement?
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AREA OFFICES AND REGIONAL JURISDICTION

<u>CENTRAL OFFICE</u> 11th Floor, Statler Office Building 20 Park Plaza Boston, MA 02116 (H.P. parking and completely accessible entrance at 21 Columbus Avenue entrance to Statler Office Building)	727-2183
<u>GREATER BOSTON REGIONAL OFFICE</u> 11th Floor, Statler Office Building 20 Park Plaza Boston, MA 02116	426-5835
<u>GREATER BROOKLINE AREA OFFICE</u> 320 Washington Street Brookline, MA 02146	739-9080
<u>SEVERE PHYSICAL DISABILITY UNIT</u> 320 Washington Street Brookline, MA 02146	739-9080
<u>GREATER HARBOR AREA OFFICE</u> 59 Temple Place Boston, MA 02111	357-8137
<u>GREATER JAMAICA PLAIN OFFICE</u> 10 Green Street Jamaica Plain, MA 02130	522-5471

HISPANIC COUNSELING UNIT 10 Green Street Jamaica Plain, MA 02130	522-9828
GREATER ROXBURY AREA OFFICE 55 Dimock Street Roxbury, MA 02119	442-5510
CORRECTIONS OFFICE 55 Dimock Street Roxbury, MA 02119	442-5510
GREATER TUFTS AREA OFFICE 256-258 Harrison Avenue Boston, MA 02111	482-1780
SERVICES FOR THE DEAF 256-258 Harrison Avenue Boston, MA 02111	426-7224
GREATER QUINCY AREA OFFICE 1431 Hancock Street Quincy, MA 03169	471-1600
<u>SOUTHEAST REGIONAL OFFICE</u> Human Services Center Lakeville, MA 02346	1-947-1231 ext. 540
GREATER BROCKTON AREA OFFICE 55 City Hall Plaza Brockton, MA 02401	1-583-1530
GREATER FALL RIVER AREA OFFICE 151 Rock Street Fall River, MA 02720	1-678-9041
GREATER HYANNIS AREA OFFICE 147 Falmouth Road Hyannis, MA 02601	1-775-6131
GREATER NEW BEDFORD AREA OFFICE Melville Towers 848 Pleasant Street New Bedford, MA 02740	1-993-6255
GREATER NORWOOD AREA OFFICE 886F Washington Street Norwood, MA 02062	769-5950
GREATER TAUNTON AREA OFFICE 30 Taunton Green Taunton, MA 02780	1-823-8141
GREATER PLYMOUTH AREA OFFICE Human Services Center Lakeville, MA 02346	1-947-1231 ext. 519

<u>NORTHEAST REGIONAL OFFICE</u> 157 Pleasant Street Malden, MA 02148	324-9187
 GREATER LAWRENCE AREA OFFICE 499 Essex Street Lawrence, MA 01840	 1-685-1731
 GREATER LOWELL AREA OFFICE 24 Merrimac Street Lowell, MA 01852	 1-458-4544
 GREATER LYNN AREA OFFICE 8 Silsbee Street Lynn, MA 01901	 593-6604
 GREATER MALDEN AREA OFFICE 157 Pleasant Street Malden, MA 02148	 324-7160
 GREATER CAMBRIDGE AREA OFFICE 2464 Massachusetts Avenue Cambridge, MA 02140	 492-0360
 GREATER CONCORD AREA OFFICE 336 Baker Avenue West Concord, MA 01742	 1-369-1963
 <u>WESTERN REGIONAL OFFICE</u> 16 A Fort Street Springfield, MA 01103	 1-413-781-7420
 GREATER GREENFIELD AREA OFFICE 324 Main Street Greenfield, MA 01302	 1-413-774-2326
 GREATER HOLYOKE AREA OFFICE 560 Dwight Street Holyoke, MA 01040	 1-413-536-8200
 GREATER NORTH ADAMS AREA OFFICE 85 Main Street North Adams, MA 02147	 1-413-663-5391
 GREATER PITTSFIELD AREA OFFICE 6 Clinton Avenue Pittsfield, MA 01201	 1-413-499-2720
 GREATER SPRINGFIELD AREA OFFICE 16 Fort Street Springfield, MA 01103	 1-413-736-7296
 <u>CENTRAL MASSACHUSETTS REGIONAL OFFICE</u> 75 C Grove Street Worcester, MA 01605	 1-754-1757

GREATER FITCHBURG AREA OFFICE 76 Summer Street Fitchburg, MA 01420	1-345-1713
GREATER FRAMINGHAM AREA OFFICE 47 Franklin Street Framingham, MA 01701	620-0818
GREATER MILFORD AREA OFFICE 3 Fayette Street Milford, MA 01757	1-478-0700
GREATER SOUTHBRIDGE AREA OFFICE 922 West Main Street Southbridge, MA 01550	1-765-5968
GREATER WORCESTER CITY AREA OFFICE 75 B Grove Street Worcester, MA 01605	1-754-1757
GREATER WORCESTER SUBURBAN AREA OFFICE 110 Lancaster Street Worcester, MA 01609	1-791-6301

*Phone numbers at right represent proper dialing if calls are made from the Greater Boston area.

QUESTION #1

What kinds of services are offered by Mass. Rehab. DVR?

ANSWER

Almost any kind of service that will help a disabled person get a suitable job. The main services are a thorough medical and psychological evaluation, counseling and guidance, physical and mental restoration, and vocational training. These vocational rehabilitation services can make a disabled person more employable. Job placement is the last part of the vocational rehabilitation program.

Here are some examples:

A woman who is a receptionist has lost her hearing. Mass. Rehab. DVR can offer guidance and counseling by a professionally trained counselor to help her figure out what sort of job she can do in spite of her handicap. Mass. Rehab. DVR can buy a hearing aid for her if she cannot afford to buy one herself. Mass. Rehab. DVR can place her in a program where she learns new communication skills. Finally, her counselor will help place her in a new job.

A man who is a truck driver was injured in an accident and will have to use braces to walk. Mass. Rehab. DVR can help him to get the braces and learn to use them. If he cannot go back to truck driving, Mass. Rehab. DVR may supply vocational training for a different job. This might mean paying part of his tuition to go to school so that he can become a bookkeeper for the trucking company.

There are many other services which Mass. Rehab. DVR can offer. See Question #24 for a full explanation.

QUESTION #2

How long does a vocational rehabilitation program take?

ANSWER

There is no time limit. A program can take as long as necessary to complete. Most vocational rehabilitation programs take two years or more.

QUESTION #3

Am I eligible for services?

ANSWER

There are two conditions you must meet to be eligible for vocational rehabilitation services offered by Mass. Rehab. DVR.

First, you must have a physical or mental disability which is a substantial handicap to employment. In other words, your disability must interfere with your potential for getting or keeping a job which suits your interests and abilities. Some examples of such disabilities are arthritis, heart disease, amputation, mental disorders, and deafness. There are many other examples. If you are legally blind, however, you should apply to the Massachusetts Commission for the Blind, 110 Tremont Street, Boston, MA 02108 (727-5550) in order to receive vocational rehabilitation services.

Second, there must be a reasonable expectation that vocational rehabilitation services will increase your chances of getting or keeping an appropriate job. You must be able to form a vocational goal to be eligible for services. In other words, it must be likely that some kind of service that Mass. Rehab. DVR offers will make you employable, or make you better able to perform the job of homemaker.

If this explanation is not clear, here are some examples:

A man is in a wheelchair because he had polio as a child. He has a physical disability. But in spite of this disability, he went through college and law school and is now a successful lawyer. His disability is not a handicap to employment. He does not need services offered by Mass. Rehab. DVR because he already has a job which is suited to his abilities.

A woman is 55 and is emotionally disturbed. She was working as a clerk in a store but lost her job because she didn't go to work regularly. Her condition became more serious and she had to go to a hospital for treatment. The first time that she had an interview with a Mass. Rehab. DVR counselor, she and the counselor both agreed that she was still too disturbed to be able to benefit from vocational rehabilitation services. She could not realistically form a vocational goal at this point. But she continued with medical care and in about eight months she saw the Mass. Rehab. DVR counselor again. By this time, her emotional disturbance was under much better control. She and her counselor were able to work out a vocational rehabilitation plan which would help her get ready to go back to work.

QUESTION # 4

Who decides whether I have a disability which is a handicap to employment?

ANSWER

A Mass. Rehab. DVR medical or psychiatric consultant decides if you have a physical or mental disability. In order to make this decision, Mass. Rehab. DVR will want to collect your medical records from the doctors, hospitals, or clinics you have been to recently. Mass. Rehab. DVR will send you for a general medical exam and perhaps to one or more specialists as well in order to have you evaluated. You have a right to decide which doctor you want to see.

A rehabilitation counselor, with the assistance of a Mass. Rehab. DVR medical or psychiatric consultant and a supervisor, is the person who decides if the disability is a substantial handicap to employment in your case.

QUESTION #5

Who decides whether vocational rehabilitation services will help me?

ANSWER

You and a vocational rehabilitation counselor who works for Mass. Rehab. DVR decide. The counselor should understand the exact nature of your disability. She or he knows what services Mass. Rehab. DVR offers and what sort of work these services might be able to prepare you for. Considering these factors, the vocational counselor decides if there is a reasonable expectation you will be able to engage in a suitable occupation after rehabilitation services are provided. You should participate fully in this decision. Remember that you can ask for an administrative review if you disagree with your counselor. See Question #51.

QUESTION #6

Do I have to live in the state for any particular length of time before I apply for services?

ANSWER

No. You must simply live in the state of Massachusetts when you apply. Even if you are disabled because of an accident which occurred elsewhere, you can get services from Mass. Rehab. DVR if you are in Massachusetts, and will be here long enough to benefit from the services.

QUESTION #7

Is there an age requirement? Can someone be too young or too old for services?

ANSWER

There are no age limits or requirements. But remember that Mass. Rehab. DVR exists to help disabled people work. A very young person or a person who is near 65 might be unlikely to get a job after rehabilitation services and may not be considered eligible. If you are under 18 and you need services, Mass. Rehab. DVR will require the cooperation of your parents or guardian.

QUESTION #8

Will Mass. Rehab. DVR help children?

ANSWER

Since a person must be able to form a vocational goal in order for Mass. Rehab. DVR to help them, children are usually not eligible for Mass. Rehab. DVR services. A child who can form a vocational goal -- even if it is a few years in the future -- may be eligible.

If a family has a severely handicapped child who is from birth to age 18, they can contact the Case Management Services Unit of the Family Health Services at the Department of Public Health by calling 1-800-882-1435. Case managers are responsible for coordinating services provided by other agencies to children throughout the state.

QUESTION #9

Will Mass. Rehab. DVR help a child who is covered by a special education program under Chapter 766?

ANSWER

Any resident of Massachusetts who is under twenty-two, has not received a high school diploma and has special educational program needs, has a right to an education which meets those special needs. Each school must evaluate the educational needs of disabled children. If the school decides a child has special educational needs, it must develop an educational or training program to meet these needs.

Mass. Rehab. DVR will not usually pay for services for children who are covered by Chapter 766. However when a child, the school or the evaluation team begins to consider job preparation or a vocational goal, a Mass. Rehab. DVR counselor may become an active member of the 766 process. He or she can help develop a good vocational plan. Also if the school cannot pay for something which is vocationally important for a child but which is not directly related to education, like a wheelchair, Mass. Rehab. DVR may pay for it.

If you are eligible for Chapter 766, but are not getting an education which fits your special needs, you should request assistance from Mass. Rehab. DVR. It will encourage your school and the Department of Education to provide special educational or training services you need.

Even if you have dropped out of school, or have never been in school, you are covered by Chapter 766 until you are twenty-two. Mass. Rehab. DVR will encourage you to get the necessary educational and vocational services through your school. If you are unwilling to work with your school, Mass. Rehab. DVR may assist you as if you were not covered by Chapter 766.

Mass. Rehab. DVR can also do planning with a Chapter 766 child who is a potential Mass. Rehab. DVR client up to one year before the child completes his/her educational program with the school system.

Parents of a Chapter 766 child with complaints can make them directly to the school system, or the Appeals Division of the Department of Education.

QUESTION #10

What does chapter 688 mean within Mass. Rehab.?

ANSWER

The definition of disabled under Chapter 688 is a person unable to engage in a substantial gainful activity by reason of a medically determinable physical or mental impairment which can be expected to result in death or be at least of 12 months duration; provided, however, that such impairment is of such severity that the individual is unable to do his previous work, if any, and considering age, education and work experience cannot engage in substantial gainful activity. Substantial gainful activity is defined as the performance of a task for at least twenty hours per week for which a person receives compensation either in currency or in kind, however, that such activity shall not include sheltered workshops or other forms of supported work.

Referrals for Chapter 688 are made through the local education authority. Therefore, if a disabled person or family are interested in Chapter 688 they should contact the Special Education Department in their school department. The Local Education Agency can then initiate a referral to the appropriate Human Services Agency.

Chapter 688 is an Act providing for continuity of services for developmentally disabled persons who age no longer entitles them to services under special education programs. Chapter 688 amends Massachusetts General Laws Chapter 71B (commonly known as Chapter 766 - the special education law). It provides for a two year transitional planning process leading to habilitative services for severely disabled young adults who will lose their entitlement to special education upon graduation or turning age 22.

The law became effective March 22, 1984. Special education students (as defined by M.G.L. c. 71B) who graduate from high school or turn age 22 on or after March 22, 1984, and who meet the federal or state definition of "disabled" will be eligible for services. That means that anyone who is currently receiving SSDI or SSI on the basis of their own disability will be automatically eligible for services. Others will have to apply to the Social Security Administration first, and if ineligible will be evaluated under new state criteria.

Anyone who graduated or turned 22 prior to March 22, 1984, will not be eligible for Chapter 688. They will be eligible for agency services according to existing mandates as they have in the past.

Habilitative services defined in the law includes: diagnosis, evaluation, treatment, personal care, day care, respite care, home care, residential care, group care in a community residence, special living arrangements, training, education, sheltered employment, supported work, recreation, counseling, protective and social services, legal services, information and referral services, and transportation services. These services are subject to appropriation. This law is not an entitlement, as distinguished from Chapter 766.

QUESTION #11

Are there some disabilities which make people automatically eligible or automatically ineligible?

ANSWER

No. Each case requires an individual decision.

QUESTION #12

Do I have to be unemployed to be eligible?

ANSWER

No. Maybe you feel your disability will cause you to lose your job unless you have help from Mass. Rehab. DVR. Or maybe you are employed at a level far below your capacity because of your disability. Perhaps you are a disabled housewife or husband who needs services from Mass. Rehab. DVR to continue to care for your home and family. If you are in these situations you can apply to Mass. Rehab. DVR for services. Of course, you can also apply if you are unemployed.

QUESTION #13

What is extended evaluation?

ANSWER

Suppose there is an applicant who is disabled and whose disability is a handicap to employment, but the counselor can't decide whether the person will benefit from the services in terms of employability. Such a person can receive rehabilitation services up to 18 months on a trial basis to see if he or she is eligible.

QUESTION #14

I think I am eligible for vocational rehabilitation services, but I have been told by a Mass. Rehab. DVR counselor I am not. What can I do?

ANSWER

You have a right to be notified in writing of the decision to deny you services. Be sure you understand the reasons. If you still disagree with the decision to deny you vocational rehabil-

itation services, ask for an administrative review. See Question #51. (Also, if you are denied services because you are not expected to achieve a vocational goal, you have a right in most cases to an automatic reassessment of this decision after twelve months.)

QUESTION #15

I cannot work because I am disabled so I went to my Social Security Office to apply for cash benefits. Then I got a letter saying I should go to Mass. Rehab. DVR for vocational rehabilitation. Why did I get this letter?

ANSWER

There are two cash assistance programs run by the federal Social Security Administration. One is called Supplemental Security Income, or SSI, to assist people who are elderly, blind, or disabled. People who receive SSI get a gold colored check. The other is called Social Security Disability Insurance, or SSDI. People who have had Social Security payments taken out of their paychecks when they were working may be entitled to SSDI benefits if they become disabled. People who receive SSDI get a green colored check.

Under either program, you must be disabled before you receive checks. When Social Security uses the word "disabled," they mean unable to do any work for at least one year. Your Social Security Administration claims representative at the District Office asks about your work history when you apply. Information about your medical condition goes to the Division of Disability Determination Service (DDS) of the Massachusetts Rehabilitation Commission where a decision is made on your eligibility for SSI or SSDI.

While information about your medical condition is at the Disability Determination Service (DDS), it is also reviewed by a vocational rehabilitation counselor to see if you might be a person who would benefit from services offered by Mass. Rehab. Division of Vocational Rehabilitation (DVR). If your records indicate that you are a person who might be vocationally rehabilitated and eventually get a job, you will get a letter asking you to come to Mass. Rehab. DVR to talk to a vocational counselor.

QUESTION #16

If I have gotten a letter asking me to see a Mass. Rehab. DVR counselor after applying for SSI and SSDI, what should I do? Should I go in for the appointment?

ANSWER

By the time you get a letter referring you for vocational rehabilitation, you probably have been told whether your SSI or SSDI claim has been allowed or denied.

If the claim has been denied, and you are not receiving any money from Social Security, you have nothing to lose by going to Mass. Rehab. DVR. You may be eligible for some of the services, if you go. It is to your advantage to keep your appointment, to talk to the vocational rehabilitation counselor and to find out more about what Mass. Rehab. DVR can offer you. If your claim was

denied, and you disagree with the decision, you may seek assistance appealing this decision through the Disability Benefits Project. For more information, call the State Office of Handicapped Affairs (phone 727-7440).

If your claim was for SSI and it has been denied because you have too much income or too many resources, you should know about a special program called a "plan for self-support." Read the answer to Question #36.

If your claim has been allowed, and you are eligible for checks from Social Security, you must see a Mass. Rehab. DVR counselor if you are asked to do so. If you fail to see a counselor or if you refuse services without a good reason, Social Security has the right to stop your payments. When you go in for the appointment, you can find out more about the vocational rehabilitation process and what it can offer you. If the services offered are not what you think you need or desire, you always have the right to appeal. See Question #51.

QUESTION #17

How do people get referred to Mass. Rehab. DVR if they are not sent by Social Security?

ANSWER

Anyone can call or write to make an appointment. Pages 36-38 of this Handbook list all the offices. Sometimes a social worker at a hospital or at the Welfare Department might refer a client for services. A person might be referred by a friend or a member of the family. Unless you have applied for yourself, the first letter you get from Mass. Rehab. DVR will say who has referred you as a person who might be interested in vocational rehabilitation.

QUESTION #18

What should I expect from my first visit to Mass. Rehab. DVR?

ANSWER

You will meet with a professionally trained vocational counselor. The counselor should first explain the vocational rehabilitation process and answer any questions you may have. You do not have to fill out any forms before you ask the counselor questions and discuss what Mass. Rehab. DVR might be able to do for you. Tell the counselor what you expect from vocational rehabilitation services and what sort of program you think would be best. If you have fears about working, this is a good time to discuss them. You can ask about services offered by Mass. Rehab. DVR without committing yourself to anything. It is your right to have anything you don't understand explained.

To understand what your limitations are and how Mass. Rehab. DVR can help you, the counselor will ask you questions about your education, your work history, and your health. You may also be asked about your income and resources. Remember you can ask your

counselor why the information is needed if you don't believe it is relevant. Also you should feel free to bring up subjects you think are important even if the counselor has not mentioned them. There will be many forms to fill out. The counselor will fill these out for you or offer you help in filling them out yourself. You will be asked to sign several things (see Question #19). Make sure you understand what you are signing and why. If you don't understand, ask the counselor to explain. It is important to realize that there are many more steps to go through before you can be put into a rehabilitation plan. Don't expect services to begin right after the first visit.

QUESTION #19

Why does the counselor have to know so much about me?

ANSWER

The counselor should know everything that is relevant to getting you the job that's best for you. This includes a description of your skills and your education. Your interests or your hobbies can be important. You should also explain problems you have had in getting or keeping a job. All this information will be the basis from which you and your counselor will be able to work out a vocational plan that is best suited for your abilities and interests.

QUESTION #20

What will I have to sign?

ANSWER

If you decide you want to apply for services, you will sign an application. At the same time, you will be asked to give Mass. Rehab. DVR permission to collect medical information about you from doctors or hospitals. The counselor will need this information to determine the type of disability you have and how serious it is. You will also be asked your permission to let Mass. Rehab. DVR share information about you with anyone who is directly concerned with your vocational rehabilitation. Question #48 explains this.

You will be asked to sign something about the order of selection. In case Mass. Rehab. DVR doesn't have the funds to serve everyone who is eligible, the order of selection provides that clients who are the most severely disabled receive paid services first. (All clients will receive diagnostic evaluation as well as guidance and counseling regardless of the order of selection.) It is in your interest to be placed in the category which gets the most services even if funds are limited. Category I is the highest priority group and Category V is the lowest. Make sure you understand why you have been placed in a category. The form explains what to do if you disagree. Ask the counselor to go over it with you. Also, read Question #51. If you wait longer than thirty days, you lose your chance to disagree.

You may keep a copy of anything you sign.

QUESTION #21

After my first visit, lots of doctor's appointments were made for me. Why do I have to see these doctors?

ANSWER

All client applicants are asked to have a general medical examination unless very recent medical records are available. Many are asked to see medical specialists as well. The doctors must examine you to find out exactly what your disability is. You may have more than one disability. Perhaps there is a particular kind of care or medication you need. Medical examinations and tests are the only way a counselor can decide whether you are eligible for services and what kind of services will be most helpful to you. You will not have to pay for these examinations and tests.

QUESTION #22

I have been asked by my counselor to have psychological tests. Why do I have to have psychological tests? What are they like?

ANSWER

This is another way for the counselor to learn about your aptitudes and interests. The results of these tests can give the counselor a better idea of what kind of job you could do after you have received vocational rehabilitation. Ask the counselor to explain exactly what to expect from each test.

QUESTION #23

I have been given an appointment to see a psychiatrist. Why? What will it be like?

ANSWER

Many client applicants and clients are asked to have an interview with a psychiatrist. A psychiatrist can help the counselor understand what your emotional or psychological reactions might be to services you will receive under the vocational rehabilitation plan or to a job. If you have a mental illness, a psychiatrist can diagnose the problem. A psychiatric examination is just an interview or a conversation with the doctor. If you have any questions or are worried about the appointment, be sure to ask your counselor more about it.

QUESTION #24

Why does it take so long from the time I applied for services before Mass. Rehab. DVR actually provides any services?

ANSWER

First, you are being evaluated to decide whether you are eligible and to find out what sort of vocational rehabilitation is appropriate in your case. It usually takes a few weeks to get a doc-

tor's appointment or arrange for a test. If you miss the appointment, you will have to wait another few weeks to get a second appointment. The process will go faster if you keep all your appointments, and you maintain contact with your counselor.

After you go for a doctor's appointment, it may take the doctor a while to complete the report. If you call your counselor to ask about delays in your case, and the counselor is waiting for a doctor to send in a report, you may be able to speed things up by calling the doctor yourself if it is someone you know.

Your rehabilitation plan may involve training or a workshop which doesn't have an opening right away. There are many forms for the counselor to fill out in each case and most counselors have over 100 cases, so it takes time to process your case. Be realistic -- vocational rehabilitation takes time.

But there are many delays which should not happen. Sometimes a counselor will forget to process necessary forms. Sometimes counselors just accept the slowness of the system when they should be trying to speed things up on the client's behalf. If you think any stage of your rehabilitation is taking too long, call your counselor and ask for an explanation. Ask the counselor how long each step of the process should take, and if it takes longer than the promised time, find out why. It may be hard to get the counselor on the phone, but be persistent. If the counselor continually fails to return calls, call the supervisor. If you do not receive a satisfactory answer from the supervisor, or want additional assistance, you may call the Client Assistance Program. See introduction page for additional information.

QUESTION #25

What are all the services which Mass. Rehab. DVR can provide?

ANSWER

Mass. Rehab. DVR will provide diagnosis and evaluation of your disability. This is to determine if you are eligible for services and to decide which services will be most useful in your case.

All clients receive counseling and guidance. This includes referring the client for services which other agencies provide and helping the client get those services which are necessary. Counseling and guidance continue throughout the vocational rehabilitation process so that your progress can be monitored and the counselor can help deal with any problems that come up.

Mass. Rehab. DVR can provide surgery and hospital or nursing care; hearing aids; artificial limbs or braces; short-term psychotherapy to help with emotional problems; physical and/or occupational therapy. These are some examples of physical and mental restoration.

Mass. Rehab. DVR can send a client to an educational or vocational training program such as engineering school or secretarial school. If books and supplies are needed for such a program, Mass. Rehab. DVR can provide these as well.

If the service you need is not available with the state of Massachusetts, Mass. Rehab. DVR can send you to a program in another state.

After the client has been prepared for work, the counselor will help the client get a suitable job. Even after the client has been placed in a job, Mass. Rehab. DVR can provide services to help the client keep the job. Rehabilitation services are stopped when the client's employment appears to be stable --usually after about 60 days on the job. But a person can always apply again for services if there is a need.

There may be some people who cannot benefit from the services just described because, for example, they don't have enough money to live on while they are in a training program, or because they don't have the materials needed in a new occupation, or because they can't afford to pay for transportation during the vocational rehabilitation process, or because of some other problems. Mass. Rehab. DVR can supply support services to make sure the client is able to benefit from the primary services of training, counseling physical restoration, and job placement.

Here are some examples of support services: transportation; vehicle modification; maintenance or living expenses; personal care assistance for persons who are employed and for persons who may require such assistance in the process of vocational rehabilitation; interpreter services for the deaf; tools or initial stocks and supplies necessary for an occupation; occupational licenses; services to members of the family, such as day care for children or personal adjustment counseling; adaptations to a person's home or apartment (with the landlord's permission), such as the addition of a ramp for a wheelchair. The counselor will first see if there are any other agencies or individuals which can supply necessary support services. If not, the Massachusetts Rehabilitation Commission DVR will provide them to an eligible person who cannot achieve a vocational goal without them.

In summary, the scope of services is very broad and very flexible. Mass. Rehab. DVR can provide almost anything which will make the disabled person more employable and place him or her in an appropriate occupation.

QUESTION #26

I don't need all of these services at once, so who decides which services I get?

ANSWER

You and the counselor are supposed to decide together what you need. The services you will get and your responsibilities are written down in your "individualized written rehabilitation program" or "IWRP". It is your right and your responsibility to participate in deciding what goes into this program. Both you and your counselor sign the IWRP. Don't sign it unless you agree that it contains what you need. It is then reviewed by the counselor's supervisor who can commit Mass. Rehab. DVR to its part of the bargain.

QUESTION #27

What if I disagree with my counselor about what program is best for me?

ANSWER

Try to resolve the disagreement with the counselor. Make sure you both understand the other's position. If you still disagree, ask for an administrative review. You may also contact the Client Assistance Program for help. See Question #51.

QUESTION #28

Why do I have to keep seeing the counselor once I am in school or in a training program?

ANSWER

Counseling and guidance is provided throughout the vocational rehabilitation process to make sure the plan is going well and to deal with any problems that come up before they get too serious.

QUESTION #29

What if I complete a vocational rehabilitation program and Mass. Rehab. DVR helps me get a job but I lose it? Or what if I think I am about to lose a job?

ANSWER

You can go back to Mass. Rehab. DVR for post-employment services within 24 months of the time your case is closed as rehabilitated if you are having trouble keeping a job, or have lost a job. If you are not eligible for post-employment services, you can reapply for services under a regular vocational rehabilitation program.

QUESTION #30

What if I was placed in a work program such as the Extended Sheltered Employment Program. I am no longer a client of Mass. Rehab. DVR. What shall I do if I have difficulty doing the job and I am dropped from the work program?

ANSWER

If you have difficulty with programs such as the Extended Sheltered Employment Program because you fail to meet the minimum production level, you can re-apply for services with Mass. Rehab. DVR.

QUESTION #31

Is there a general guide available of the vocational rehabilitation process which I can expect to follow as a client of Mass. Rehab. DVR?

ANSWER

Yes, there is a general outline called the client flow chart. The chart shows in a very general way the process a client undergoes upon being referred to Mass. Rehab. DVR for services. Remember, each step does not apply to every client. Your vocational rehabilitation plan is the best guide for your rehabilitation services from Mass. Rehab. DVR. (See flow chart on following page.)

QUESTION #32

What are my responsibilities as a client of Mass. Rehab. DVR?

ANSWER

It is your responsibility as a client to work with the counselor in developing and carrying out your vocational rehabilitation plan. This includes the keeping of appointments and attendance at activities which you and your counselor agreed upon. Once you have been placed in training or evaluation it is your responsibility to get acceptable rating or grades and also to carry out medical or other professional instructions. If you fail to do these things it might result in your case being closed because it is unlikely that you can become employed.

QUESTION #33

Does Mass. Rehab. DVR pay for everything? If not, what will I have to pay for?

ANSWER

There are three services Mass. Rehab. DVR always pays for. First, Mass. Rehab. DVR pays for evaluation of your disability and your rehabilitation potential to see if you are eligible. This includes doctors' appointments and tests that are done when you first apply for rehabilitation services. If you are asked to go for a medical examination or test, Mass. Rehab. DVR has authorized payment only for the services requested. Make sure you understand what Mass. Rehab. DVR has agreed to pay for. You should not accept additional services unless you understand who is responsible for paying the charges. If you have been placed in extended evaluation, you will receive rehabilitation services on a trial basis. You will not be asked to pay for extended evaluation because it is part of the diagnostic evaluation to help determine your eligibility for Mass. Rehab. DVR services.

Second, you will not be asked to pay for counseling and guidance and referral services you receive from your counselor.

Third, placement in a job or occupation is also a service you will not be asked to pay for.

A GENERAL CLIENT FLOW CHART

	Referral	Client can make self-referral or can be referred by someone else.			
	Initial Interview	Counselor explains what MRC is about. Client signs application for MRC services.			
	Eligibility Determined	Counselor begins to gather all necessary information to determine whether client is eligible. This includes making doctors' appointments.			
	Determine Nature of Services Client Needs				
	Client and Counselor Write the IWRP	The counselor's supervisor has to give the final approval of the IWRP.			
Training	Counseling and Guidance	Physical & Mental Restoration	Employment Placement	Follow-Up	
Any or all of these services can be provided individually or at the same time, if possible.					Post-Employment Services
NOTE: This is a very general flow chart of the steps that many clients go through. It DOES NOT SHOW ALL STEPS THAT ALL CLIENTS GO THROUGH. Ask your counselor to explain which step in the vocational rehabilitation process you are in at any given time.					Successfully Closed

All the other services are provided on the basis of financial need. Your counselor will ask what your income and resources are. The counselor will see if other agencies provide some of the services you need. You will be asked to apply for financial aid from other agencies because Mass. Rehab. DVR funds are to be used as a last resort. After you both agree what services you will need from Mass. Rehab. DVR you will be asked to pay for whatever you can afford. The amount of money you are expected to contribute and the part paid for by Mass. Rehab. DVR will be written down as part of your individualized written rehabilitation program. Make sure you understand your obligations and agree to them before you sign it.

Remember that each person's program is different and that each client has different resources. So Mass. Rehab. DVR may pay for a service in one case and ask the client to pay for another. Here is an example:

Mrs. A's disability is heart disease. Her friend, Mrs. B is in a wheelchair. They are both going to secretarial school as part of their vocational rehabilitation programs. Mrs. A has some savings and she is paying half her tuition and buys all her books and supplies. Mrs. B has less money, so Mass. Rehab. DVR pays all her tuition and purchases the necessary books and supplies for her. They go to class together in Mrs. A's car until Mrs. A finishes her course. Mrs. B has a month of classes left, but because she is in a wheelchair, she cannot use public transportation. Suppose there is no one else who can help her get to classes at the right times and Mrs. B doesn't have enough money to pay for the transportation herself, Mass. Rehab. DVR will pay for transportation because otherwise she would have to drop out of the secretarial course.

QUESTION #34

If the amount each client has to pay is different, who decides? How can I be sure the decision in my case is fair?

ANSWER

The Massachusetts Rehabilitation Commission DVR sets financial need guidelines. Each counselor has a copy of the latest policy governing how much Mass. Rehab. DVR will pay for. The counselor decides how these guidelines apply to your case. You can ask to see the guidelines and ask the counselor to explain how they operate in your case. If you don't think the result is fair, discuss this with your counselor and perhaps the counselor's supervisor. If you are still not satisfied, you can request an administrative review. You may also request assistance in resolving this issue from the Client Assistance Program.

QUESTION # 35

What kind of job will I get if I receive vocational rehabilitation?

ANSWER

The type of job depends on your particular interests and abilities. The goal of vocational rehabilitation is to get a handicapped person into gainful occupation. However, this can be employment as a homemaker. Other vocational goals include farm or family work if the rehabilitated person is filling a pre-existing job; sheltered employment in a workshop; homebound employment; a job in the competitive labor market; the practice of a profession or self-employment.

QUESTION #36

Do I have to take any job I am offered?

ANSWER

No. You have a right to participate in the process of selecting a job which is appropriate for you. Of course, you should consider jobs the counselor suggests, but if you don't think the jobs are right for you, explain your reasons to the counselor.

QUESTION #37

If I am a Massachusetts Rehabilitation DVR client, how will it affect the other benefits I am getting?

ANSWER

This depends on the type of benefits you are receiving or the type of benefits you have applied for.

If you are already receiving Supplemental Security Income (SSI - gold check) or Social Security Disability Income (SSDI - green check), you may be expected to participate in vocational rehabilitation if you are eligible and if you do not have a good reason for refusing service.

TRIAL WORK UNDER SSI OR SSDI

If you go to work while you are receiving SSDI or SSI benefits you may be entitled to a trial work period. You are expected to inform your local Social Security office once you begin to work. If you continue to be medically eligible for SSI or SSDI, you may be allowed a trial of nine months plus three additional months for an adjustment period even if the periods of work are interrupted. However, if you are determined to be no longer disabled as the result of a medical review at any time during trial work, you will be ineligible for further trial work and your benefits will be ceased. If you disagree with the result of the medical review decision, you may seek assistance from the Disability Benefits Project. Call the State Office of Handicapped Affairs (phone 727-7440) for details.

You only need to earn \$75 or more a month to have the work counted as trial work. The earnings may come from regular employment, or a workshop or on-the-job training. The nine months do not have to be consecutive. If you work for a while, stop working, and then go back to work, all the time that your work is added up

as part of your trial work period. At the end of the trial work period, the Social Security Administration will look back at the work you performed and the salary you earned to determine if you are able to perform "substantial gainful activity" (SGA). SGA is defined as earnings of \$300 or more per month. If you are able to perform at this level, your benefits will continue for a 3-month adjustment period before they stop. If you are not able to do substantial gainful work, your benefits will continue.

If you are receiving SSDI benefits, you will continue to receive the full amount of those benefits during the trial work period regardless of the amount you earn.

If you are receiving SSI benefits, your earnings will probably reduce the amount you will receive in your monthly checks. High earnings may reduce your payments to zero (\$), thereby terminating SSI benefits and the trial work period.

There are other factors affecting the provision of trial work. Ask your Mass. Rehab. DVR counselor to explain the trial work period to make sure you understand it.

SELF-SUPPORT PLAN FOR SSI CLAIMANTS ONLY

If you are not eligible for SSI benefits because you have too much income or resources (savings), you should ask the vocational counselor about a "plan for self-support". In some cases, the handicapped person and the counselor can work out a plan for saving money to be used for equipment, vehicle, training, or other things which will eventually help the handicapped person become gainfully employed. When a plan for self-support is drawn up in writing and signed by the counselor, it is submitted to the Social Security Office for approval. If it is approved the income or resources set aside under the plan will not be considered in determining your eligibility.

If you are eligible for SSI and you have some other income which reduces the amount of your SSI check, an approved plan for self-support might allow you to accumulate money which will go toward equipment, vehicle, training, other other things to help you become gainfully employed. If you use this income for this purpose under an approved plan for self-support, the difference will be made up in your SSI check.

AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)

If you are receiving Aid to Families with Dependent Children (AFDC), you are probably aware of the Education and Training Program (ETP), a government program which helps people on AFDC get jobs. As an AFDC applicant or recipient, you may be required to register for ETP unless you are prevented from working by certain special circumstances. People who are sick or disabled are not required to participate in the ETP but may be referred to Mass. Rehab. DVR. You will lose nothing by coming in to talk with a counselor to find out what Mass. Rehab. DVR has to offer.

If you decide to become a Mass. Rehab. DVR client and begin to work in a training program, a workshop or a regular job your earnings may affect your continued eligibility for AFDC and the amount of your grant. The effect depends upon the sort of work you do, the amount of your salary and whether you are a one or two parent family.

If you receive a stipend (a small grant instead of wages) as part of a training program, AFDC may disregard your stipend and your work expenses in determining your eligibility for AFDC. Ask your counselor if your training program is one which gives a stipend which is disregarded by AFDC.

If you are a single parent -- that is, if the other parent is disabled or absent -- there is another provision designed to give you more money if you work. For earned income from competitive employment, a certain amount of your take home salary will be disregarded in determining the amount of your AFDC grant. Thirty (\$30) per month and 1/3 of the remaining is disregarded for four consecutive months. Any expenses you incur as a result of working, such as transportation, child care, union dues, and so forth, will be disregarded as well. Your welfare social worker or your rehabilitation counselor should be able to explain to you all the consequences of going to work.

If you are a two parent family (AFDC-UP) and the unemployed parent (UP) begins to work more than 100 hours a month, the family becomes ineligible for AFDC. However, you may still be eligible for General Relief as a family.

If you were on AFDC and become ineligible because you are earning too much or working too much, your medical assistance and some other benefits that go along with AFDC will continue for a period of four months after you stop getting your AFDC check. You or your children may still be eligible for food stamps or medicaid although you are not on AFDC.

GENERAL RELIEF

In order to receive General Relief (GR), you must be considered unemployable. Clients who are eligible for Mass. Rehab. DVR services by virtue of their disability are usually eligible for General Relief on the same disability. However, they must provide medical reports to the Welfare Department which prove the disability exists.

If you are participating in a vocational rehabilitation program as a Mass. Rehab. DVR client and earning money in a workshop or on the job training, the first thirty (\$30) per month which you earn is not deducted from your grant. Your taxes are not deducted and child care should be paid by welfare. If you receive a stipend (a small grant instead of wages) the amount of \$30 is disregarded in determining your eligibility for GR and the amount of your grant. Ask your counselor if your training program is one which gives a stipend which is disregarded for purposes of the GR program.

UNEMPLOYMENT

If you are receiving unemployment, you are probably aware that these benefits continue for only a certain length of time after you are no longer working, regardless of your need. In order to receive unemployment you must be willing, able and available for work. If you are also considering participating in vocational rehabilitation, it may be because your handicap prevented you from getting a suitable job. In other words, you were "underemployed" when you were working. If you are considering becoming a full-time student under a rehabilitation program, this will probably affect your unemployment compensation by making you unavailable for work. If your disability prevents you from working at all, the Division of Employment Security may deny you unemployment benefits but the evaluations made by the Mass. Rehab. DVR are independent and will not affect this decision.

At the initial interview, before you have committed yourself to participating in a vocational rehabilitation plan, the counselor can explain to you how becoming a Mass. Rehab. DVR client could affect your unemployment benefits.

WORKERS' COMPENSATION

If you are receiving Workers' Compensation, you can also apply for vocational rehabilitation services with Mass. Rehab. DVR and this will not affect your weekly compensation. It is to your advantage to become a Mass. Rehab. DVR client if there is any chance that your disability will make it difficult for you to return to work. Your counselor will help you to work out a plan which would enable you to earn a living after your Workmen's Compensation benefits stop. Since there are no further benefits if you obtain a lump sum settlement, it is important to become involved in vocational rehabilitation as soon as possible.

If you are receiving money under the Federal Employees' Compensation Act or another federal program, you may also apply to Mass. Rehab. DVR for services.

Workers' Compensation is a very complicated subject. If you want to learn more about it and how it can be tied in with vocational rehabilitation, you should call the staff assistant at the Industrial Accident Board in Boston. The telephone number is 727-3407.

EX-PUBLIC OFFENDER

If you have been an ex-public offender, you may be eligible for vocational rehabilitation services if you have a physical or emotional disability. You are not automatically eligible because you have been convicted of a crime. Each case is decided on an individual basis.

Mass. Rehab. DVR will not usually accept as a client a person who is awaiting trial. The rehabilitation process is not designed to affect the decision of a person's guilt or innocence. Nor will

Mass. Rehab. DVR become involved in a case for the purpose of affecting the sentence.

Mass. Rehab. DVR will consider referrals from pre-trial diversion programs. Prisoners can apply to become Mass. Rehab. DVR clients as the parole date approaches. Also, anyone on probation or parole who has an interest in the vocational rehabilitation process will be considered for eligibility. An individual can request referral through the probation or parole officer. Even if a person on probation or parole comes directly to Mass. Rehab. DVR the counselor will probably want to let the probation or parole officer know the individual is involved in vocational rehabilitation.

Criminal justice data is not released to Mass. Rehab. DVR. Therefore, the vocational counselor will ask the applicant questions about his or her background. A thorough understanding of a person's education, social history, physical and emotional health is necessary in order to determine eligibility and to develop an appropriate vocational goal. The information that Mass. Rehab. DVR collects is not released to the criminal justice system, except pursuant to a court order, or the client or applicant's request.

It is important to realize the purpose of vocational rehabilitation. The vocational counselor will identify the offender's problems and capabilities and will use resources in the community to help the person prepare for work and to place the person in the best possible job. The vocational rehabilitation process is independent of the criminal justice system. Mass. Rehab. DVR is not a policing agency. The vocational counselor's only interest is in preparing the client for a good job.

OTHER BENEFITS

If you are receiving some other type of public assistance benefit, you should ask the Mass. Rehab. DVR counselor how it might be affected by your participation in vocational rehabilitation. Some examples of other benefits are: veterans' benefits, black lung benefits, annuities, railroad retirement benefits, a court order, alimony.

QUESTION #38

What if I need personal care attendance services after I get a job?

ANSWER

Mass. Rehab. DVR helps severely disabled individuals who are working to pay for personal care attendant services and be covered by Medicaid at the same time.

The Personal Care Assistance (PCA) Program is available to eligible current or former clients of Mass. Rehab. DVR. Individuals who have a severe disability and require the service of a personal care attendant and are gainfully employed, at least an average of twenty (20) hours a week may benefit from this program. Individuals who are about to be employed within three months may also be considered for this program.

QUESTION #39

Do I have to pay for a PCA myself?

ANSWER

To be eligible for Mass. Rehab. DVR assistance in this program you must present evidence of employment, e.g., pay stubs, letter or income tax return. Depending on your income, you may be asked to share in the cost of the attendant services. Your salary will be processed through a formula which will be used to determine your contribution, if any, towards your attendant care.

QUESTION #40

What will happen to my Medicaid benefits if I am eligible for the Mass. Rehab. DVR PCA program?

ANSWER

If you are currently receiving Medicaid benefits, you may not participate in the MRC Personal Care Assistance Program, until such time as you are no longer eligible for conventional Medicaid.

Usually when one starts to work for wages or compensation, Medicaid and other benefits like SSI, cease within a matter of weeks. The exceptions to this include: SSI recipients who are on trial work period, on self-support plans or who may be eligible for SSI/Medicaid benefits due to the Social Security Amendments of 1980. The last situation will most likely cover individuals who are earning under \$10,000 and meet several SSI requirements. Details are available from your nearest Social Security Office or the Information Center for Individuals with Disabilities. All of the above situations would allow the individual to remain on Medicaid and receive Medicaid funded Personal Care Assistance.

It will be necessary for all applicants of the Personal Care Assistance Program to apply for Medicaid prior to acceptance into the Mass. Rehab. DVR program. Since the Mass. Rehab. DVR PCA program is state funded and has limited monies, we wish to make our services available only to those who cannot receive services from another source.

QUESTION #41

How do I apply for the Mass. Rehab. DVR/PCA Program?

ANSWER

Contact your nearest area office of Mass. Rehab. DVR and set up an appointment to speak to a counselor about PCA services.

If you are a current client, or former client, you can apply directly for these services.

If you are not a client or former client, of the Commission, it will be necessary to first establish eligibility for Mass. Rehab. DVR services before applying for Personal Care Assistance.

The benefits of this program are many. A severely disabled individual can afford to be employed and not have to fully absorb the expensive costs of a personal care attendant. (About \$9,000 per year.) At the same time the individual is able to receive a special form of medicaid health care coverage, called Chapter 599.

QUESTION #42

What is Chapter 599?

ANSWER

In 1980, the Massachusetts Legislature passed a law allowing active participants in the Mass. Rehab. DVR Personal Care Assistance Program to receive the benefits of Medicaid. This special form of Medicaid will be paid for by the state unlike the conventional Medicaid discussed on the previous page, which is state and federally funded. This means that once you have been accepted into the Mass. Rehab. DVR Personal Care Assistance Program you are granted Medicaid services to cover your health needs. This is important to individuals in this program who spend a lot on monthly items, just to function with a disability.

QUESTION #43

What if I need further information on the PCA program?

ANSWER

If you are interested in learning more about this program, contact your local Mass. Rehab. DVR area office and ask to speak to the PCA counselor. Also, you may contact our statewide PCA coordinator at the MRC Administrative Offices, 20 Park Plaza, Boston, MA 02116; (617) 727-2182.

QUESTION #44

What is an independent living program?

ANSWER

An independent living program is delivered by a non-profit agency which provides community-based, non-residential support services to disabled people residing in the Commonwealth. The goal of these services is to assist a disabled person in the transition from an institutional or dependent family situation to a more independent lifestyle in the community. The purpose of independent living is to gain more control of one's life, both physically and attitudinally.

Independent living programs and the independent living movement itself is based on the philosophy of consumer control, self-direction, equal rights and a quality of life that has traditionally been reserved only for non-disabled people.

QUESTION #45

Where are the Massachusetts independent living programs located and how do I apply?

ANSWER

Although Massachusetts is a relatively small state, there are 8 locally based independent living programs/centers statewide offering a diverse array of services and advocacy. The programs are under contract with the MRC:

Boston Center for Independent Living
50 New Edgerly Road
Boston, MA 02115
536-2187

Center for Living & Working
600 Lincoln Street
Worcester, MA 01605
853-1068

Deaf, Inc.
215 Brighton Avenue
Allston, MA 02134
254-4041

Independence Associates
693 Bedford Street
Elmwood, MA 02337
378-3997

Independent Living in Berkshire County
Contact: Cynthia Rissati
663-5391

Northeast Independent Living Programs, Inc.
429 Broadway
Lawrence, MA 01840
687-4288

Renaissance Club
21 Branch Street
Lowell, MA 01851

Stavros Foundation
691 Southeast Street
Amherst, MA 01002
(413) 256-0473

If you are interested in independent living services, simply call the program closest to your home for more information.

QUESTION #46

Who can be eligible for independent living services? What services does a typical independent living program offer?

ANSWER

Your eligibility is based on what services you need, and what independent living program is best for you. All programs do, however, provide protection, advocacy and outreach for their targeted disability population. Age requirements also vary, with some programs providing services to adolescents and others working only with adults. Independent living services are available to all disabled people, whether or not you are a client of one or more other agencies.

A typical independent living program offers the following services:

Information and Referral - Identification of individual's needs and/or information and explanation of program services or referral to appropriate source.

Skills Training - Education around such issues as advocacy, benefits counseling, and socialization skills.

Community Education - Building and maintaining mutual relationships with interested individuals, agencies, or organizations through awareness training.

Advocacy and Emergency Protection Services - Both group and individual advocacy services are available as well as emergency protective services.

QUESTION #47

Who pays for independent living services? What financial resources are available to me?

ANSWER

All independent living programs have monies available through various grants and/or contracts. Some of the centers/programs receive fees for services provided from a number of state agencies. No client is required to pay for independent living services.

QUESTION #48

What is in my case record at Mass. Rehab. DVR?

ANSWER

Your file contains the results of diagnosis and evaluation to determine your eligibility and the type of services that are appropriate in your case. The file will contain records from other sources if you have consented to have them released to Mass. Re-

hab. DVR. If you have been determined ineligible, your case record contains the reasons for this determination. If you are engaged in a rehabilitation program the file will contain a copy of your individualized written rehabilitation program. Your case record will contain information you have given on your financial resources. The selection of services to be provided in your case and the reasons that these services are appropriate are documented in your case record. If you are eligible for benefits under another program as well, this is documented. The reasons for closing your case must be documented in your case record. If you agree to let Mass. Rehab. DVR release information about you for purposes connected with your vocational rehabilitation, this agreement must be in writing and will be kept in your case record. There must be documentation that you have been told that information Mass. Rehab. DVR has about you is otherwise confidential.

In addition to all these things, the counselor may make notes about conversations with you. These notes can help the counselor remember important things about your case and may also justify why certain services are being provided. The counselor only needs to know information which is relevant to your vocational goals. If you are concerned with the type and extent of information gathered about you, ask the counselor to explain the reasons the information is requested.

QUESTION #49

Who is given information about me? Who gets to see my Mass. Rehab. DVR case record?

ANSWER

Information about you is used for the benefit of your vocational rehabilitation. It can be released to appropriate people within Mass. Rehab. DVR. For example, your counselor's supervisor will review your rehabilitation plan in order to approve the services requested. If your counselor leaves the agency, you will be assigned a new counselor who would have access to your file.

QUESTION #50

Can I see my file?

ANSWER

You or your authorized representative may, upon your written request, gain access to your records from the area office supervisor. You must state the parts of your file you'd like to see and the reasons for wanting to see them. The area office supervisor will notify you or your representative of the decision within 10 working days after receiving the request.

If you need information in your record for the purpose of a proceeding for benefits or damages, you should request the information in writing. The information relevant to your needs must be released to you or your parent, guardian, or representative. If the release of medical or psychological information to you directly may be harmful to you, it will be released to you by a physician or licensed psychologist.

If the release of medical or psychological information to you directly may be harmful to you, it will be released to you by a physician or licensed psychologist.

QUESTION #51

I have a physical handicap. I was not able to get in and out of my house by myself and therefore couldn't get to a training program that was part of my vocational rehabilitation program. So Mass. Rehab. DVR has adapted my house to remove some of the physical barriers. I don't think the work was done properly. What can I do?

ANSWER

The work was requested by Mass. Rehab. DVR for your benefit. Mass. Rehab. DVR made a contract with the builder to do the work. Mass. Rehab. DVR has the right to enforce the contract. You can explain to your counselor why the work is not satisfactory. If the counselor and other Mass. Rehab. DVR staff do not resolve the problem, you can request an administrative review.

QUESTION #52

I am not satisfied with the action of Mass. Rehab. DVR in my case. I have discussed the problem with my counselor. I have explained my reasons and I believe I understand the counselor's response. But I still disagree. What can I do?

ANSWER

If you are dissatisfied with any action or failure to act on the part of Mass. Rehab. DVR, you should request an administrative review. You must make the request within 30 days of the action or inaction you are complaining about. You do this by writing a letter to the local office of Mass. Rehab. DVR where you have applied for services or where you are receiving services. To find the mailing address of your local office, look at the last page of this booklet where the are offices are listed. Here is an example of a letter requesting an administrative review:

Date

Dear Supervisor:

I am dissatisfied with the action of the Massachusetts Rehabilitation Commission DVR in my case. I request an opportunity to present my case to a higher authority.

(signed by you)

This letter must be signed by you or your authorized representative. If possible, make a copy of the letter and keep the copy. You should also put the date on which you are writing and mailing the letter.

A date will be set for a review of your case. The date set must be within 45 days of the time your request is received. You will get a letter stating the date, time, and location of the review.

QUESTION #53

What is an administrative review like?

ANSWER

It is informal. You can bring one or more representatives to help you present your case. You can bring witnesses or an attorney to submit any documents you feel are relevant. You may use relevant portions of your case record.

The counselor in charge of your case will represent Mass. Rehab. DVR's side of the case. The counselor's supervisor will be there.

The review officer is probably a Mass. Rehab. DVR supervisor, but not one involved with your case. She or he will try to understand both sides of the issue. There are no formal requirements for how you must present your case. You should simply explain what the problem is and support your position with witnesses or documents.

Within 20 days of the review, the review officer will render a written decision. It will explain the issues involved and the basis of the decision.

If you want to have an administrative review but you have more questions about what to expect, you can ask your counselor or your counselor's supervisor. If you want to speak with someone else who can explain the process, ask your counselor for the name of the ombudsman, the Mass. Rehab. DVR employee who acts as a client advocate.

QUESTION #54

What if I am dissatisfied with the outcome of the administrative review?

ANSWER

The review officer will explain how you can request a fair hearing. This is the next step of the complaint procedure. If the decision of the administrative review is against you, the letter you receive will include a statement of your right to a fair hearing and the time limit within which you must exercise that right.

If you are dissatisfied with the outcome of the fair hearing, you may take your case to court.

QUESTION #55

Is there someone who can help me with problems I have in connection with Mass. Rehab. DVR?

ANSWER

The Massachusetts Rehabilitation Commission DVR provides an Ombudsman who can assist you with problems related to Mass. Rehab. DVR services. Here is the address:

Ombudsman
Massachusetts Rehabilitation Commission DVR
11th Floor, Statler Office Building
20 Park Plaza
Boston, Massachusetts 02116
Telephone: (617) 727-2170, 727-2171
(H.P. parking and completely accessible entrance at
21 Columbus Avenue entrance to the Statler Office
Building)

You may also be able to get help from a local legal services group if you have a legal problem and if your income makes you eligible for their services. You may want to consult a private attorney if you can afford it.

QUESTION #56

I have been very satisfied with the services I received from Mass. Rehab. DVR. How can I let my counselor and his/her supervisor know?

ANSWER

If you want to express your appreciation for the services you received from Mass. Rehab. DVR you may write, call or visit the counselor and his/her supervisor to let them know your feelings.

QUESTION #57

What is consumer involvement?

ANSWER

Consumer involvement is a program where you can work with a Mass. Rehab. DVR staff to help them improve the services they deliver to you and to others like yourself.

QUESTION #58

How can I get involved?

ANSWER

Let your counselor know that you would like to join the advisory council at the area or regional office. Ask how you can help Mass. Rehab. DVR help other clients.

GLOSSARY

DIAGNOSTIC EVALUATION -- is an examination used to determine a client's eligibility for vocational rehabilitation services. Such exams include psychological tests, psychiatric exams, medical exams, and work suitability (extended evaluation).

DIVISION OF VOCATIONAL REHABILITATION (DVR) -- is the part of Mass. Rehab. that assists clients to get a job. .

DIVISION OF DISABILITY DETERMINATION SERVICES (DDS) -- is the part of Mass. Rehab. that decides who can receive SSI or SSDI.

EXTENDED EVALUATION -- is evaluation on a trial basis for up to 18 months to determine whether or not further services will help the client.

GUIDANCE AND COUNSELING -- is a process the counselors use to identify and better understand the client's handicap, the cause of the problems related to work, and the steps necessary to overcome them.

HOMEBOUND EMPLOYMENT -- is a type of employment provided for clients who cannot leave their home because of their disability. It consists of an agreement between Mass. Rehab. DVR and a business to bring work into the client's home. The cost is also shared between the business and Mass. Rehab. DVR.

INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM (PLAN) -- is the plan written by the vocational counselor and the client which explains in detail the client's vocational goal and objectives for reaching the goal. This includes the type of training, the necessary supplies, the length of time, type of restorative service, etc. for the program.

ORDER OF SELECTION -- is the priority rating used by Mass. Rehab. DVR when funds are extremely limited. For example, during the order of selection those clients who are categorized as severely disabled get top priority for paid services.

SSI/SSDI -- Supplemental Security Income/Social Security Disability Insurance. These are programs administered by the Social Security Administration (SSA) for eligible disabled individuals. DDS is the Division of Mass. Rehab. which decides eligibility for SSA.

SHELTERED EMPLOYMENT or SHELTERED WORKSHOP -- (workshop) refers to a place of employment where the client is closely supervised and his performance evaluated on a regular basis. The client usually is not capable of working in a competitive job.

SUPPORT SERVICES -- any service provided a client to help insure that she/he completes the vocational goal. This includes service to family members, transportation, etc.

TRAINING PROGRAM -- is any program in which the client is placed to receive training for suitable employment.

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